EXHIBIT A

SUMMARY SHEET FOR MANUFACTURER DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR PARTIAL SUMMARY ADJUDICATION THAT DEFENDANTS DID NOT COMPLY WITH THEIR DUTIES UNDER THE FEDERAL CONTROLLED SUBSTANCES ACT TO REPORT SUSPICIOUS OPIOID ORDERS AND NOT SHIP THEM

Motion Name: Manufacturer Defendants' Opposition to Plaintiffs' Motion for Partial Summary Judgment Adjudication That Defendants Did Not Comply With Their Duties Under the Federal Controlled Substances Act To Report Suspicious Opioid Orders And Not Ship Them

Moving Parties: Manufacturer Defendants[1]

Related Docket Entries: 1910/1924 (Plaintiffs' Motion for Partial Summary Adjudication)

Summary: Plaintiffs have failed to produce any evidence that the Manufacturing Defendants did not comply with the regulatory and statutory requirements for manufacturers under the Federal Controlled Substances Act.

1. Plaintiffs have not alleged a single suspicious order shipped to Plaintiff Counties by Manufacturer Defendants that should have been reported and/or withheld, but instead point to shipments from distributors to pharmacies, or prescriptions written by physicians to patients. Thus, regardless of whether there is a duty under the Controlled Substances Act to withhold suspicious orders, Plaintiffs' claims against Manufacturers fail.

[1] Manufacturer Defendants joining this Opposition include: Purdue Pharma, L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.; Endo Health Solutions Inc.; Endo Pharmaceuticals Inc.; Par Pharmaceutical, Inc.; Par Pharmaceutical Companies, Inc.; Janssen Pharmaceuticals, Inc. f/k/a Ortho-McNeil-Janssen Pharmaceuticals, Inc. f/k/a Janssen Pharmaceutica, Inc.; Johnson & Johnson; Noramco, Inc.; Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.; Allergan plc f/k/a Actavis plc; Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc.; Allergan Sales, LLC; Allergan USA, Inc.; Watson Laboratories, Inc.; Warner Chilcott Company, LLC; Actavis Pharma, Inc., f/k/a Watson Pharma, Inc.; Actavis South Atlantic LLC; Actavis Elizabeth LLC; Actavis Mid Atlantic LLC; Actavis Totowa LLC; Actavis LLC; Actavis Kadian LLC; Actavis Laboratories UT, Inc. f/k/a Watson Laboratories, Inc.-Salt Lake City; Actavis Laboratories FL, Inc., f/k/a Watson Laboratories, Inc.-Florida; Mallinckrodt plc; Mallinckrodt LLC; and SpecGx LLC.

Teva Pharmaceutical Industries Ltd., Allergan plc f/k/a Actavis plc, and Mallinckrodt plc are respectively an Israeli corporation, Irish holding company, and Irish company that are not subject to and contest personal jurisdiction for the reasons explained in their pending motions to dismiss for lack of personal jurisdiction; they are specially appearing to join this Opposition as a result of the Court's deadline to file oppositions to dispositive and *Daubert* motions, and, thus, they do not waive and expressly preserve their pending personal jurisdiction challenges.

2. There is no duty for manufacturers to monitor the orders of their customers' customers. The requirement does not appear in the Controlled Substances Act, its implementing regulations, nor any guidance issued by the Drug Enforcement Agency.

3. Independently, Plaintiffs' motion should be denied for each of the Manufacturer Defendants, as there are disputes of material fact relating to Plaintiffs' allegations against each Manufacturer Defendant.

Opposition Date: July 31, 2019
Reply Date: August 16, 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July 2019, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF System.

/s/ Brien T. O'Connor

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